UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/068,866	10/23/98	MORIWAKE K	450108-4484

020999
FROMMER LAWRENCE & HAUG
745 FIFTH AVENUE
NEW YORK NY 10151

TM02/0716

EXAMINER
JOSEPH, T

ART UNIT	PAPER NUMBER
2173	

DATE MAILED:
07/16/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

	Application No.		Applicant(s)	
Office Action Summary	09/068,866		MORIWAKE ET AL.	
	Examiner		**Art Unit**	
	Thomas J Joseph		2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>30 April 2001</u>.

2a) ☐ This action is **FINAL.**   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-142</u> is/are pending in the application.

    4a) Of the above claim(s) <u>90, 92, 93, 122-132, and 134-142</u> is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-89, 91, 94-121, and 133</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

9) ☒ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on <u>13 October 1998</u> is/are objected to by the Examiner.

11) ☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All b)☐ Some * c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

15) ☒ Notice of References Cited (PTO-892)

16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>5</u>.

18) ☐ Interview Summary (PTO-413) Paper No(s). _____ .

19) ☐ Notice of Informal Patent Application (PTO-152)

20) ☐ Other: .

DETAILED ACTION

The Applicant responds to the Office Action dated March 27, 2001 by electing Group 1 for claims 1 – 89, 91, 94 – 121, and 133. This patent application is titled, "Editing System, Editing Method, Clip Management Apparatus, and Clip Management Method."

Drawings

1. The drawings are objected to under 37 CFR 1.83(b) because they are incomplete. 37 CFR 1.83(b) reads as follows:

> When the invention consists of an improvement on an old machine the drawing must when possible exhibit, in one or more views, the improved portion itself, disconnected from the old structure, and also in another view, so much only of the old structure as will suffice to show the connection of the invention therewith.

Correction is required.

2. Page 27 of the drawings is objected to because the Applicant fails to provide a figure number. Further, Examiner strongly recommends that the Applicant place the contents of this drawing into some type of legend format. Correction is required.

Specification

3. Applicant is reminded of the proper content of an abstract of the disclosure.

A patent abstract is a concise statement of the technical disclosure of the patent and should include that which is new in the art to which the invention pertains. If the patent is of a basic nature, the entire technical disclosure may be new in the art, and the abstract should be directed to the entire disclosure. If the patent is in the nature of an improvement in an old apparatus, process, product, or composition, the abstract should include the technical disclosure of the improvement. In certain patents, particularly those for compounds and compositions, wherein the process for making and/or the use thereof are not obvious, the abstract should set forth a process for making and/or use thereof. If the new technical disclosure involves modifications or alternatives, the abstract should mention by way of example the preferred modification or alternative.

The abstract should not refer to purported merits or speculative applications of the invention and should not compare the invention with the prior art.

Where applicable, the abstract should include the following:
(1) if a machine or apparatus, its organization and operation;
(2) if an article, its method of making;
(3) if a chemical compound, its identity and use;
(4) if a mixture, its ingredients;
(5) if a process, the steps.

Extensive mechanical and design details of apparatus should not be given.

4.   The abstract of the disclosure is objected to because said abstract fails to provide a complete explanation of the invention using English language that is understandable to one with ordinary skill in the art. Abstract contains only one sentence. The said sentence is insufficient in the providing a reader with ordinary skill in the art a clear understanding of this invention. Further, the said abstract fails to teach the novel features associated with this said invention. Correction is required. See MPEP § 608.01(b).

Claim Objections

5.   Claims 1 – 89, 91, 94 – 121, and 133 are objected to due to at least the following informalities: Claim 1 reading "An editing system for producing edit resultant clip from a plurality of clips to be edited" should read "An editing system for producing an editor resultant clip from a plurality of clips to be edited"; claim 5 reading "said managing means register said clips to be edited..." should read "said managing means for registering said clips to be edited"; claim 10 reading, "Said clip database has the module identification information indicating that which of said plurality of processing modules is said edit resultant clip produced among from" using an incomplete incomprehensible

sentence; claim 17 reading, "said editing point data is represented by time code in said

edit resultant clip and time code in said clip to be edited" should read "editing point data

that is represent by a time code in the said edit resultant clip and said time code within

the said clip to be edited". A substantial number of errors were found throughout

claims. Further, some of these errors have the potential for causing misinterpretation

The Examiner strongly recommends that the Applicant review specification and claim

language to insure that that grammar is correct using language that is understandable

to one with ordinary skill in the art. Appropriate correction is required.

Claim Rejections - 35 USC § 112

6.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

7.   Claims 1– 89, 91, 94 –121, and 133 rejected under 35 U.S.C. 112, second

paragraph, as being indefinite for failing to particularly point out and distinctly claim the

subject matter which applicant regards as the invention.

The claims are generally narrative and indefinite, failing to conform to current

U.S. practice. They appear to be a literal translation into English from a foreign

document and are replete with grammatical and idiomatic errors. Examples of such

errors include at least the following; claim 1 which reads "An editing system for

producing edit resultant clip from a plurality of clips to be edited" and "plurality of

processing modules for editing the clips to be edited, for performing on a plurality of

clips to be edited the edit processing corresponding to the processing module selected

among the plurality of processing modules to produce edit resultant clip"; claim 5

reading "managing means register said clips to be edited..."; claim 6 reading,

"managing means register said first clip to be edited; and in said clip database as a

lower clip firstly linked to said edit resultant clip and registers said second clip to be

edited in said clip database as a lower clip as a lower clip secondly linked to said edited

resultant clip...".; claim 10 reading, "Said clip database has the module identification

information indicating that which of said plurality of processing modules is said edit

resultant clip produced among from" is an incomplete incomprehensible sentence; claim

14 reading, "said clip database has edit point data indicating a plurality of editing points

specified in producing said edit resultant clip and image processing data indicating the

image processing applied to the video data of said clip to be edited to produce said edit

resultant clip"; claim 15 reading, "said control means for controlling the image timing of

said processing means based on said editing point data registered in said clip database,

and controls the image processing operation of said image processing means contains

language that can not be understood by one with ordinary skill in the art; claim 17

reading, "said editing point data is represented by time code in said edit resultant clip

and time code in said clip to be edited" can not be understood by one with ordinary skill,

especially when making reference to time code; claim 19 reading, "edit resultant clip

and said clip to be edited respectively have the original time code starting from the start

point to each clip; and said managing means registers, at the edit start point of said clip

to be edited, in said clip database as said editing point data the time code in said edit

resultant clip and the time code in said clip to be edited which are associated each

other, and registers at the edit end point of the said clip to be edited in said clip

database as said editing point data the time code in said edit resultant clip and the time

code in said clip to be edited which are associated each other" contains language

beyond the comprehension of one with ordinary skill in the art at the time of the

invention; claim 21 reading, "processing identification data indicating the type of edit

processing" fails to explains to the user an understandable concept for edit processing;

claim 25 makes reference to "parameter interpolated between said first edit parameter

and said second edit parameter o the video data of said clip" uses the term

"interpolated" and "edit operator" in a manner that can not be understood by one with

ordinary skill in the art; claim 39 reading, "all clips linked to the upper position of the

modified edit resultant clip disable, when said edit resultant clip registered in said clip

database modified" fails to provided useful explanation of "clip disable" while using

language that can not be comprehended by one with ordinary skill in the art at the time

of the invention; claim 70 reading, "...clip linked as a lower clip of said first edit resultant

clip is selected" is language that can not be comprehended by one with ordinary skill in

the art; claim 78 reading, "image processing timing of said image processing means

based on said editing point data registered in said clip database..." fails to at least

provide an explanation of "timing" and "editing point" that is understandable to one with

ordinary skill in the art.

8.   The language associated with the claim language including the above phrases

can be misinterpreted by one with ordinary skill in the art. The Examiner strongly

recommends that the Applicant review all claims for similar phraseology that can lead to

misinterpretation or misunderstanding. Correction is required.

9.   Claims 1– 89, 91, 94 –121, and 133 recites the limitation "clip" in various claims

including claim 1. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

10.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

11.   Claims 1 - 89, 91, 94 - 121, and 133 are rejected under 35 U.S.C. 103(a) as

being unpatentable over McGrath (pat. # 6,137,945) in view of Nagasaka (pat.

6,195,497) in view of Lavellee (pat. # 5,737,552).

Claim 1 is rejected. McGrath teaches an editing system for producing an editor

resultant clip from a plurality of clips to be edited (col. 1, lines 1 – 20). McGrath teaches

an editing means, which is composed of a plurality of processing modules for editing the

clips to be edited, for performing on a plurality of clips to be edited the edit processing

corresponding to the processing module selected among the plurality of processing

modules to produce edit resultant clip (col. 2, lines 60 – 70). McGrath teaches a

method for editing clip data but fails to provide any description or explanation regarding

the said "processing modules" used for producing the said "resultant clip". The drag

drop processing and other editing operations disclosed by McGrath allow for the control

and utilization of resources; such utilization is used-for editing data. McGrath teaches a

control means for controlling said editing means based on the information managed by

said managing means (col. 2, lines 60 – 70). The drag drop taught by McGrath is a

control means because the user moves data from one virtual location to another for the

purpose of completing a task.

McGrath fails to teach a method for directly managing edit resultant clips.

Nagasaka demonstrates directly managing edit resultant clips (fig. 15). The frames

taught by Nagasaka can be interpreted as edit resultant clips. It would have been

obvious to one with ordinary skill in the art at the time of the invention to combine the

drag and drop taught by McGrath with the managing of edit resultant clips taught by

Nagasaka because doing so for timely retrieval of specific scenes during processing.

Further such technology is widely accepted in the industry and is familiar to those

literate in the use of PC technology.

Nagasaka fail to teach hierarchical structures for editing or accessing. Lavellee

teaches managing means for managing said edit resultant clip and said plurality of clips

to be edited with the hierarchical structure, in order to show that which of clips to be

edited is said edit resultant clip produced (col. 2, lines 60-70). It would have been

obvious to one with ordinary skill in the art at the time of the invention to incorporate the

hierarchical video accessing system taught by Lavallee into the video editor taught by

McGrath because doing so provides a scheme for accessing any of a variety of video

programs without the need for navigating through a host of menus (McGrath, col. 2,

lines 32 – 41).

Claim 2 is rejected. McGrath teaches an edit system (col. 1, lines 10 – 13). Any

video editing system is also a type of editing system.

Claim 3 is rejected. McGrath teaches or at least suggest a clip database that

includes link information indicating the link state of said clips managed with the

hierarchical structure (col. 6, lines 30 – 41). The linked list and decision list taught by

McGrath at least suggest at least the indicated of the link state of said clips managed

with the hierarchical structure. McGrath teaches the use of child windows under parent

windows (col. 5, lines 25 - 38; col. 7, lines 15 – 25). The use of such child window

translates or at least suggests information indicating the link state of said clips managed

with the hierarchical structure.

Claim 4 is rejected. McGrath teaches the use of child and parent windows for

accessing clip information (col. 7, lines 15 – 25). The parent and child windows taught

by McGrath are used for storing link information registered for each clop consisting of

lower link information indicating the lower clops linked to said clip at a lower position

and the upper link information indicating the upper clips linked to said clip at an upper

position. The windows are used for audio and video material which suggests the clips

(col. 7, lines 23 – 26).

Claim 5 is rejected. McGrath teaches a managing means for registering said clips

to be edited in said clip database as a lower clip of said edit resultant clip, so as to

correspond to the layer specified in the processing module and corresponding to said

edit resultant clip (col. 5, lines 25 – 40). Further, the linked list of storage addresses

corresponding to the output edited sequence is referred to as virtual file (col. 6, lines 30

– 35) suggest a type of layer specified in the processing module corresponding to edit

resultant clip.

Claim 6 is rejected. McGrath teaches a plurality of clips to be edited that includes

the first clip to be edited and the second clip to be edited (col. 6, lines 35 – 42). Source

and destination clips are defined. Such clips can be interpreted as a first and second

clip to be edited. McGrath teaches the presence of multiple source modules (fig. 1);

such multiple modules suggest the use of multiple source modules. McGrath teaches a

managing means registering said first clip to be edited in said clip database as a lower

clip firstly linked to said edit resultant clip and registers said second clip to be edited in

said clip database as a lower clip secondly linked to said edited resultant clip, when said

first clip to be edited is specified as the first layer and said second clip to be edited is

specified as the second layer in the processing module selected in producing said edit

resultant clip (col. 6, lines 48 – 68). The "drag" and "drop" described above is a method

of editing that results in and edit resultant clip.

Claim 7 is rejected. McGrath fails to teach specific edit and special effect

modules. Nagasaka (pat. # 6,195,497) teaches a plurality of processing modules

comprising an edit module for editing said edit resultant clip, a composite module for

composing said edit resultant clip, and a special effect module for applying a special

effect to said edit resultant clip (col. 4, lines 48 – 67). The edit processing system taught

by Negasaka teaches using a window for editing a composite data set consisting of

multiple video objects. Windows are also a type of module. Any manipulation of video

data by an editor or other software manipulation system produces a special effect.

Such a manipulation system becomes a special effect module. It would be obvious to

one with ordinary skill in the art at the time of the invention to incorporate Nagasaka

who teaches the user of editing modules into McGrath who teaches editing system that processes clip data because doing so prepares video data for editing through the use of reduction of resolution (col. 1, lines 40 – 50). Reducing the quality of resolution allows for faster processing during the editing process. When editing is complete, higher resolution can be restored for the production process.

Claim 8 is rejected. Nagasaka teaches a method for processing video (col. 4, lines 48 – 67). Any system for processing video data is also an image processing system. Nagasaka uses this figure to demonstrate the use of a corresponding edit module, composite module, and special effect module for processing video data of a file that can also be suggested to be a clip to be edited.

Claim 9 is rejected. Nagasaka teaches the use of a window, suggesting a GUI, corresponding to an edit module, composite module, and special effect module on a display video (col. 4, lines 48 – 67). Aligning and diminishing images as taught by Nagasaka is a method for showing a special effect. The software system described herein is a module. The module described in the claim language is not necessarily an object-oriented module. The claim language fails to specify whether the module taught in claim 9 is specifically an object-oriented module.

Claim 10 is rejected. McGrath in view of Nagasaka in view of Lavellee teach a said clip database has the module identification information indicating that which of said plurality of processing modules is said edit resultant clip produced among from in rejected claim 1.

Claim 11 is rejected. Lavallee teaches a control means for controlling said editing means and said image-processing means based on the information registered in said clip database (fig. 1; col. 4, lines 37 – 51). The scenes represented in the tree taught by Lavallee (fig. 1) represent items in a clip database. A clip database is a database containing video data, a type of image data. McGrath suggests a control system that translates into a control means for controlling said editing means and said image processing and storing means in the said database (col. 5, lines 25 – 38). The video files are contained within a type of image database.

Claim 12 is rejected. Lavallee teaches a control means for controlling said editing means based on said module identification information of the edit resultant clip specified by an edit operator (fig. 1; col. 4, lines 37 – 51).

Claim 13 is rejected. Lavallee teaches said control means for controlling said editing means so as to start up the processing module corresponding to the edit resultant clip specified by an edit operator based on said module identification information stored in said clip database (fig. 1; col. 4, lines 37 – 51). McGrath in view of Nagasaka in view of Lavellee teach the rationale of claim 13 in rejected claim 11.

Claim 14 is rejected. McGrath teaches a method wherein a said clip database has edit point data indicating a plurality of editing points specified in producing said edit resultant clip and image processing data indicating the image processing applied to the video data of said clip to be edited to produce said edit resultant clip (col. 7, lines 15 – 25). The child and parent windows containing icons taught by McGrath are a type of edits points specified in producing edit resulting clips and image processing data.

Claim 15 is rejected. McGrath teaches a control means for controlling the image

timing of said processing means based on said editing point data registered in said clip

database, and controls the image processing operation of said image processing means

(col. 7, lines 15 – 25).

Claim 16 is rejected. McGrath teaches use of icons for accessing editable video

data (col. 7, lines 15 – 25). Such icons are a type of edit points data representations

wherein data representing the edit start point and the edit end point of said clip to be

edited, and data representing the change point of said image processing data applied to

the video data of said edit resultant clip.

Claim 17 is rejected. McGrath teaches using a said editing point data is

represented by time code in said edit resultant clip and time code in said clip to be

edited (col. 7, lines 15 – 25). McGrath makes a specific reference to time code

associated with a clip (col. 7, lines 55 – 70).

Claim 18 is rejected. McGrath teaches a said editing point data that is

representing by a time code in said edit resultant clip and time code in said clip to be

edited (col. 7, lines 55 – 70).

Claim 19 is rejected. McGrath teaches said edit resultant clip and said clip to be

edited respectively have the original time code starting from the start point to each clip;

and said managing means registers, at the edit start point of said clip to be edited, in

said clip database as said editing point data the time code in said edit resultant clip and

the time code in said clip to be edited which are associated each other, and registers at

the edit end point of the said clip to be edited in said clip database as said editing point

data the time code in said edit resultant clip and the time code in said clip to be edited

which are associated each other (col. 7, lines 15 – 25; col. 7, lines 55 – 70).

Claim 20 is rejected. McGrath teaches a said image processing data consists of

edit processing data indicating the content of the image processing corresponding to the

edit processing specified by said edit module, the composite processing data indicating

the content of the image processing corresponding tot he composite processing

specified by said composite module, and the special effect processing data indicating

the content of the image processing corresponding to the special effect processing

specified by said special effect module (col. 4, lines 65 – 68; col. 5, lines 1 – 8).

McGrath teaches a process which acts as an edit module, composite module, and

special effect module. The claim language does not teach an object oriented edit

module, composite module, and special effect module.

Claim 21 is rejected. Nagasaka teaches edit data consisting of edit processing

identification data indicating the type of edit processing set by said edit module and a

plurality of edit processing parameters corresponding to the edit processing (col. 7,

lines 44 – 55). Nagasaka teaches technology for defining a video object. Such defining

technology is interpreted as a method of creating edit processing identification data

indicating the type of edit processing set by said edit module and a plurality of edit

processing parameters corresponding to the edit processing.

Claim 22 is rejected. Negasaka teaches technology for processing parameters

registered in said clip database so as to correspond to say editing point specified in said

edit resultant clip processing (col. 7, lines 44 – 55).

Claim 23 is rejected. Negasaka teaches control means controlling said image processing means so as to perform on the video data of said clip to be edited the image processing in accordance with said edit processing parameters corresponding to said editing point at a timing in accordance with said editing point (col. 7, lines 44 – 55).

Claim 24 is rejected. McGrath in view of Nagasaka in view of Lavellee teach the rationale of claim 24 in rejected claims 22 and 23.

Claim 25 is rejected. Negasaka teaches a control means wherein said image processing means so as to perform the image processing in accordance with the interpolation parameter interpolated between said first edit parameter and said second edit paramet6er on the video data of said clip to be edited during the period from said first editing point to said second editing point (col. 7, lines 44 – 55).

Claim 26 is rejected. Negasaka teaches technology that can be used for editing (fig. 5) which provides video control portions, a video playback portion, index management portion, operation, panel potion, etc. These portions are a further display means for displaying the cell showing the edit section of said clip to be editing and change of said edit processing parameters specified for said clip to be edited, which correspond to the time axis direction. The various control screens can be used for video editing.

Claim 27 is rejected. Negasaka teach a composite processing data consisting of a plurality of composite processing parameters corresponding to the composite processing set by said composite module (fig. 6; col. 7, lines 35 - 40). The uniting of sound and video data taught by Negasaka is a method for creating a composite module.

Claim 28 is rejected. Negasaka teach a plurality of composite processing

parameters that are registered in said clip database so as to correspond to said editing

point specified in said edit resultant clip (fig. 6). The frames taught by Negasaka are a

type of editing point specified edit resultant clips.

Claim 29 is rejected. Negasaka teach control means for controlling said image

processing means so as to perform on the video data of said clip to be edited the image

processing in accordance with said composite processing parameters corresponding to

said editing point at a timing in accordance with said editing point (fig. 6).

Claim 30 is rejected. Negasaka teach an editing point specified for said edit

resultant clip including the first editing point and the second editing point (fig. 6). The

data layer taught in figure 6 demonstrates a video clip that can be a resultant edit clip

including a first editing point and a second editing point. Negasaka teaches a

composite processing parameters including the first composite parameter set to a timing

corresponding to the said first editing point and the second composite processing

parameter set to a timing corresponding to said second editing point (fig. 5). The video

control portion is used for entering input for controlling input. This input is considered a

control parameter. Negasaka teaches a control means for controlling said image

processing means so as to perform the image processing in accordance with said first

composite parameter on the video data of said clip to be edited at a timing of said first

editing point, and controls said image processing means so as to perform the image

processing in accordance with said second composite parameter on the video data of

said clip to be edited at a time of said second editing point (fig. 6).

Claim 31 is rejected. Negasaka teaches a control means wherein said image

processing means so as to perform the image processing in accordance with the

interpolation parameter interpolated between said first edit parameter and said second

edit parameter on the video data of said clip to be edited during the period from said first

editing point to said second editing point (col. 7, lines 44 – 55). Negasaka teaches a

plurality of interpolation parameter based on said first composite processing parameter

and said second composite processing parameter (fig. 6). The video frames combined

with each other is a type of composite. The animation associated with the said frames

translate into a type of interpolation.

Claim 32 is rejected. Negasaka teaches technology that can be used for editing

(fig. 5) which provides video control portions, a video playback portion, index

management portion, operation, panel potion, etc. These portions are a further display

means for displaying the cell showing the edit section of said clip to be editing and

change of said edit processing parameters specified for said clip to be edited, which

correspond to the time axis direction. The various control screens can be used for

video editing.

Claim 33 is rejected. McGrath teaches using a computer for video editing (col. 4,

lines 30 –35). Every video editor alters video data. Once the said video data is altered,

a type of special effect is produced. As result special effect processing data consisting

of special effect identification data indicating the type of special processing set by said

special effect module, and a plurality of special effect parameters corresponding to said

special effect processing takes place.

Claim 34 is rejected. Negasaka teaches use of audio and video technology wherein the said plurality of special effect processing parameters that are registered in said clip data base so as to correspond to said plurality of editing points specified in said edit resultant clip (fig. 6).

Claim 35 is rejected. McGrath teaches using a computer for video editing (col. 4, lines 30 –35). McGrath in the teaching of this technology teaches a control means wherein said image processing means is performed on video data of said clip to be edited the image processing in accordance with said special effect processing parameters corresponding to said editing point at a timing in accordance with said editing point.

Claim 36 is rejected. Negasaka teach an editing point specified for said edit resultant clip including the first editing point and the second editing point (fig. 6). The data layer taught in figure 6 demonstrates a video clip that can be a resultant edit clip including a first editing point and a second editing point. Negasaka teaches a composite processing parameters including the first composite parameter set to a timing corresponding to the said first editing point and the second composite processing parameter set to a timing corresponding to said second editing point (fig. 5). The video control portion is used for entering input for controlling input. This input is considered a control parameter. Negasaka teaches a control means for controlling said image processing means so as to perform the image processing in accordance with said first composite parameter on the video data of said clip to be edited at a timing of said first editing point, and controls said image processing means so as to perform the image

processing in accordance with said second composite parameter on the video data of said clip to be edited at a time of said second editing point (fig. 6). McGrath teaches using a computer for video editing (col. 4, lines 30 –35). McGrath in the teaching of this technology teaches a control means wherein said image processing means performed on video data of said clip to be edited the image processing in accordance with said special effect processing parameters corresponding to said editing point at a timing in accordance with said editing point.

Claim 37 is rejected. Negasaka teaches a control means producing a plurality of interpolation parameters based on said first special effect processing parameter and said second special effect processing parameter, and control said image processing means so as to perform the image processing in accordance with said plurality of interpolation parameters during the period from said first editing point to said second editing point (col. 4, lines 30 –35).

Claim 38 is rejected. Negasaka teaches a control means for displaying means for displaying the cell showing the edit section of said clip to be edited and the change of said special effect processing parameters for said clip to be edited, which correspond to the time axis direction (fig. 6). Motion video data typically correspond to forward moving time.

Claim 39 is rejected. Negasaka teaches a control means for making all clips linked to the upper position of the modified edit resultant clip disable, when said edit resultant clip registered in said clip database modified (col. 5, lines 9-15).

Claim 40 is rejected. Negasaka teaches a said control means producing a new

edit resultant clip instead of the edit resultant clip before modification when said edit

resultant clip before modification when said edit resultant clip is modified, and makes all

clips linked to the upper position of the edit resultant clip before modification disable

(col. 5, lines 9-15).

Claim 41 is rejected. The Examiner takes OFFICIAL NOTICE that providing a

database having the identification flag indicating whether said each clip is enable or

disable enables to greater manipulation of images.

Claim 42 is rejected. Negasaka teaches a window containing graphics and a

window control icons that translate into a managing means with register said new edit

resultant clip in said clip database with the clip identification code or clip name

representing said edit resultant clip before modification (fig. 15). The clip identification

translates into the frame number (#1202). Negasaka teaches registers wherein edit

resultant clip before modification in said clip database with the clip identification code or

clip name which is different from the clip identification code or clip name representing

said edit resultant clip before modification

Claim 43 is rejected. Negasaka teaches a means for producing a new edit

resultant clip instead of said edit resultant clip before modification when said edit

resultant clip before modification clip is modified, and search all clips linked to the

upper position of said edit resultant clip before modification based on said link

information of said clip database to make the searched clips disable (fig. 15; col. 14,

lines 25 – 46).

Claim 44 is rejected. McGrath in view of Nagasaka in view of Lavellee teach the

rationale of claims 44 in rejected claim 42.

Claim 45 is rejected. Negasaka teaches a clip database that has the

identification flag indicating whether said each clip is enable or disable (fig. 15).

Claim 46 is rejected. Negasaka teach said control means for re-execution means

for re-executing in order to make said edit resultant clip which has been disable by

modification processing enable (fig. 15).

Claim 47 is rejected. Negasaka demonstrates a search process for referring said

link information and said identification flag of said clip database to search the edit

resultant clip to be re-executed among the said disable edit resultant clips (fig. 16). The

forward and back buttons allows for such searching through the clip database.

McGrath teaches technology for a production process for producing a new video

data corresponding to said searched edit resultant clip among from the video data of all

lower clips linked to the lower position of the edit resultant clip searched by said search

process (col. 7, lines 15 – 25). Any manipulation of video data results in a new video

data set. Any attempt by a user to locate video data is a search that can produce a

resultant clip.

Claim 48 is rejected. McGrath teaches a re-execution means, in said production

process, producing a new edit resultant clip instead of said searched disable edit

resultant clip instead of said searched disable edit resultant clip, from said newly

produced video data, said link information relating to said searched edit resultant clip

registered in said clip database, said editing point data, and said image processing data (col. 7, lines 15 – 25).

Claim 49 is rejected. McGrath teaches registers for said edit resultant clips newly produced in said clip database with the clip identification code or clip name representing said searched disable edit resultant clip (col. 7, lines 15 – 25). McGrath teaches use of registers said searched disable edit resultant clip in the said database with the clip identification code or clip name which is different from the clip identification code or clip name representing said researched disable edit resultant clip (col. 7, lines 15 – 25).

Claim 50 is rejected. McGrath teaches a re-execution means repeats said search process and said production process until all clips managed with the hierarchical structure by said managing means becomes enable (col. 7, lines 15 – 25). The parent child structure requires a hierarchical structure. This technology allows for editing after which the user may execute audio and video material.

Claim 51 is rejected. McGrath teaches a re-execution means performing the re-execution on the edit resultant clip which has the lower clips being all enable among said disable edit resultant clips and which is at the lowest position among said clips managed with said hierarchical structure (col. 7, lines 15 – 25).

Claim 52 is rejected. McGrath teaches a re-execution means, in said production process, controls said image processing device based on the editing point data and the image processing data corresponding to said searched disable edit resultant clip, so as to produce said new video data (col. 7, lines 15 – 25).

Claim 53 is rejected. McGrath in view of Nagasaka in view of Lavellee teach the rationale of rejected claim 1 in claim 53. Any operation taking place in a computing system is processing.

Claim 54 is rejected. The technology for claim 54 is taught in claim 13. Any software system including the one taught by claim 54 requires a storing means for storing databases.

Claim 55 is rejected. Lavallee teaches a hierarchy that demonstrates a clip database including link information indicating the link state of said clips in the hierarchical structure in order to manage the edit resultant clip and plurality of clips to be edited with the hierarchical structure (fig. 1). McGrath teaches a method for editing video and audio material (col. 7, lines 15 – 25).

Claim 56 is rejected. McGrath in view of Nagasaka in view of Lavellee teach the rationale of claim 56 in rejected claim 7.

Claim 57 is rejected. Nagasaka teaches a user interface for processing corresponding said composite module, and a GUI for special effect processing corresponding to said special effect module (fig. 15). Any video display can be interpreted as outputting a type of special effect. The claim language fails to provide an explanation to the reader the meaning of special effect. McGrath teaches editing technology that can be adapted to GUI or any other type of user interface (col. 7, lines 15 – 25). All editing programs require some type of user interface.

Negasaka teaches a display means for displaying a user interface (fig. 15). This interface includes buttons for manipulating frame data. Such manipulation can be used

in the art for editing. McGrath teaches editing (col. 7, lines 15 – 25). All editing

programs require some type of interface. Negasaka teaches identifying the processing

module corresponding to the said selected edit resultant clip based on the module

identification information registered in said clip database (fig. 15). This figure teaches

using a window (#1000). A window is a type of module. The window taught by

Negasaka is a module that corresponds with the pictorial clip contained within.

Negasaka teaches starting up the processing module corresponding to said

identified to said identified processing module and controls said display means to

display the GUI of the processing module corresponding to the said identified

processing module (fig. 15). Nagasaka teaches an icon in a GUI for starting processing

(#1102). Arrow keys provided in window are typically used for starting some type of

processing. The claim language fails to provide any indication explaining the type of

processing.

Claim 58 is rejected. McGrath teaches a clip database having editing point data

showing a plurality of edit points specified in producing said edit resultant clip and image

processing data showing the content of the image processing applied to the video data

of said clip to be edited to produce said edit resultant clip (col. 7, lines 15 –25). The

GUI taught by McGrath processes and edit video data.

Claim 59 is rejected. McGrath a control means for controlling image processing

timing of said image processing means based on said editing point data registered in

said clip database, and controls the image processing operation of said image

processing means based on said image processing data registered in said clip

database (col. 7, lines 55 – 62).   McGrath teaches a timing mechanism using a

predetermined time set up by a user.

Claim 60 is rejected. McGrath teaches editing point data being data representing

the edit start point and the edit end point of said clip to be edited, and data representing

the change point of said image processing data applied to the video data of said edit

resultant clip (col. 7, lines 55 – 62). McGrath makes reference to both audio and video

material. All such material requires a start point and an end point.

Claim 61 is rejected. McGrath teaches image processing data consisting of edit

processing data indicating the content of the image processing data indicating the

content of the image processing corresponding to the edit processing specified by said

edit module, the composite processing data indicating the content of the image

processing corresponding to the composite processing specified by the said composite

module, and the special effect processing data indicating the content of the image

processing corresponding to the special effect processing specified b said special effect

module (col. 7, lines 55 – 62).

Claim 62 is rejected. McGrath teaches edit data consisting of edit processing

identification data indicating the type of edit processing set by said edit module and a

plurality of edit processing parameters corresponding to the edit processing (col. 7, lines

55 – 62).

Claim 63 is rejected. McGrath teaches edit processing parameters registered in

said clip database so as to correspond to said editing point specified in said edit

resultant clip (col. 7, lines 55 – 62).

Claim 64 is rejected. McGrath teaches a control means said image processing means so as to perform on the video data of said clip to be edited the image processing in accordance with said edit processing parameters corresponding to said editing point at a timing in accordance with said editing point (col. 7, lines 55 – 62). All editing programs require some type of processing parameter. All input entered enters the program in the form of some type of parameter.

Claim 65 is rejected. McGrath in view of Nagasaka in view of Lavellee teach the rationale of claim 65 in rejected claim 24.

Claim 66 is rejected. McGrath in view of Nagasaka in view of Lavellee teach the rationale of claim 66 in rejected claim 25.

Claim 67 is rejected. McGrath in view of Nagasaka in view of Lavellee teach the rationale of claim 66 in rejected claim 26.

Claim 68 is rejected. McGrath in view of Nagasaka in view of Lavellee teach the rationale of claim 66 in rejected claim 27. McGrath teaches using icons, associated with a GUI, for accessing and processing edit information based on information registered in clip databases (col. 7, lines 15 – 25).

Claim 69 is rejected. McGrath in view of Nagasaka in view of Lavellee teach the rationale of claim 68 in rejected claim 32.

Claim 70 is rejected. McGrath teaches the use of child and parent windows for accessing clip information (col. 7, lines 15 – 25). The parent and child windows taught by McGrath are used for storing link information registered for each clop consisting of lower link information indicating the lower clops linked to said clip at a lower position

and the upper link information indicating the upper clips linked to said clip at an upper

position. The windows are used for audio and video material that suggests the clips

(col. 7, lines 23 – 26). Such technology teaches a first processing module being started

up to produce the first edit resultant clip, when the second edit resultant clip linked as a

lower clip of said first edit resultant clip is selected. McGrath teaches a said control

means (col. 7, lines 15 -25). Further, this technology teaches link information of said

module identification information, said editing point data, and said image processing

data which are registered as the information relating to said second edit resultant clip of

said clip database. Negasaka teaches a method for provides a module identification

code (fig. 15, #1202). Both the frame and the window can be interpreted as a type of

module.

Negasaka teaching starting up the second processing module corresponding to

said second edit resultant clip based on said module identification code (fig. 15). This

window allows the user to page from one clip to a second clip. Each of these clips can

be interpreted as a type of module.

Negasaka teaches controlling, based on said link information, said editing point

data, and said image processing data, said display means to display the cell

representing the edit section of clip linked to the lower position of said second edit

resultant clip so as to associate with the editing point of said editing point data, and to

display each processing parameter of said image processing data corresponding to

said second processing module as to associate with the editing point of said editing

point data (fig. 15).

Claim 71 is rejected. McGrath in view of Nagasaka in view of Lavellee teach the rationale of claim 71 in rejected claim 1.

Claim 72 is rejected. Negasaka teaches a storing means having a clip database for registering each edit resultant clip said image processing data (fig. 15). Any image data must be the result of some type of edit process either with or without human intervention. The claim language fails to explain the inventor's meaning for edit.

Claim 73 is rejected. McGrath teaches a said plurality of processing modules having an edit module for editing said plurality of clips to be edited, a composite module for composing said plurality of clips to be edited, and a special effect module for applying the special effect to said plurality of clips to be edited (col. 7, lines 15 - 25).

Claim 74 is rejected. McGrath teaches an image processing means for applying to the video data of said clip to be edited the image processing respectively corresponding to said edit module, said composite module, and said special effect module (col. 7, lines 15 - 25).

Claim 75 is rejected. McGrath teaches using a clip database having module identification information indicating that which of processing modules is said edit resultant clip produced from (col. 7, lines 15 - 25).

Claim 76 is rejected. McGrath a GUI for edit processing corresponding to said edit module, a GUI for composite processing corresponding to said composite module, and a GUI for special effect processing corresponding to said special effect module (col. 7, lines 15 - 35). McGrath provides a technology that can be used for editing. Editing by its nature produces a special effect. The claim language does not provide

explanation of the intended meaning of a "special effect". McGrath teaches a control

means (col. 7, lines 15 - 35). The icons taught by McGrath are a control means.

McGrath teaches identifying the processing module corresponding to said selected edit

resultant clip based on the module identification information registered in said clip

database means (col. 7, lines 15 - 35). McGrath teaches starting up the processing

module corresponding to said identified processing module and controls said displays

means to be display the GUI of the processing module corresponding to said identified

processing module (col. 7, lines 15 - 35). Icons can be used for stating a processing

module or control. Such icons can also be used for opening specific frames to be

viewed by the user. Any execution is also starting of processing.

Claim 77 is rejected. Negasaka teaches a clip database having an edit point

data showing a plurality of editing points specified in producing said edit resultant clip

and image processing data showing the contents of the image processing performed on

the video data of said clip to be edited to produce said resultant clip (fig. 15). McGrath

teaches editing of clips (col. 7, lines 15 - 35).

Claim 78 is rejected. McGrath teaches a control means for control image

processing timing of said image processing means based on said editing point data

registered in said clip database and a controlling the image processing operation of said

image processing means based on said image processing data registered in said clip

database (col. 7, lines 15 – 25).

Claim 79 is rejected. McGrath teaches editing point data being data representing

the edit start point and the edit end point of said clip to be edited, and data representing

the change point of said image processing data applied to the video data of said edit

resultant clip (col. 7, lines 15 – 25).

Claim 80 is rejected. McGrath in view of Nagasaka in view of Lavellee teach the

rationale of claim 80 in rejected claim 61.

Claim 81 is rejected. McGrath in view of Nagasaka in view of Lavellee teach the

rationale of claim 81 in rejected claim 62.

Claim 82 is rejected. McGrath in view of Nagasaka in view of Lavellee teach the

rationale of claim 82 in rejected claim 63.

Claim 83 is rejected. McGrath in view of Nagasaka in view of Lavellee teach the

rationale of claim 83 in rejected claim 64.

Claim 84 is rejected. McGrath in view of Nagasaka in view of Lavellee teach the

rationale of claim 84 in rejected claim 65.

Claim 85 is rejected. McGrath in view of Nagasaka in view of Lavellee teach the

rationale of claim 85 in rejected claim 66.

Claim 86 is rejected. McGrath in view of Nagasaka in view of Lavellee teach the

rationale of claim 86 in rejected claim 67.

Claim 87 is rejected. McGrath in view of Nagasaka in view of Lavellee teach the

rationale of claim 87 in rejected claim 68.

Claim 88 is rejected. McGrath in view of Nagasaka in view of Lavellee teach the

rationale of claim 88 in rejected claim 69.

Claim 89 is rejected. McGrath in view of Nagasaka in view of Lavellee teach the

rationale of claim 89 in rejected claim 1. Nagasaka teaches a display means for

displaying on a display GUI including a window for showing the link state of a plurality of

clips managed by said managing means with the hierarchical structure and a time line

window showing the edit section of said clip to be edited be edited on the time axis (fig.

15). The arrow keys can be used to analyze time order for a display. Such arrow keys

makes the window taught by Nagasaka a time line window. Lavellee teaches use of a

hierarchy (fig. 1). Displaying of such a hierarchy can be displayed for maintenance and

edit operations by a user.

Claim 91 is rejected. McGrath in view of Nagasaka in view of Lavellee teach the

rationale of claim 91 in rejected claims 1 and 89.

Claim 94 is rejected. McGrath in view of Nagasaka in view of Lavellee teach the

rationale of claim 94 in rejected claims 1 and 89.

Claim 95 is rejected. Lavallee teaches a said plurality of clips that are managed

by the clip database in which the information relating to said plurality of clips is

registered for each clip (fig. 1). This hierarchy of scenes taught by Lavallee requires a

type of database that must be managed. Each scene can be interpreted as a type of

clip.

Claim 96 is rejected. Lavallee demonstrates a hierarchical structure of said

plurality of clips being managed by link information of said clip database (fig. 1; col. 5,

lines 43 - 51). This hierarchy of scenes taught by Lavallee requires a type of database

that must be managed. Each scene can be interpreted as a type of clip. The arrows

can be interpreted as representing link information.

Claim 97 is rejected. McGrath in view of Nagasaka in view of Lavellee teach the rationale of claim 97 in rejected claim 73.

Claim 98 is rejected. McGrath in view of Nagasaka in view of Lavellee teach the rationale of claim 98 in rejected claim 74.

Claim 99 is rejected. Nagasaka teaches a GUI corresponding to each of said edit module, said composite module, and said special effect module is respectively displayed on a displayed, based on the information registered in said clip database (fig. 1).

Claim 100 is rejected. McGrath in view of Nagasaka in view of Lavellee teach the rationale of claim 100 in rejected claim 75.

Claim 101 is rejected. McGrath teach a control means starting up the processing module corresponding to the edit resultant clip specified by an edit operator based on said module identification information stored in said clip database (col. 7, lines 15 - 25). McGrath refers to audio and video data. Such data requires a database for proper storing and retrieval.

Claim 102 is rejected. McGrath in view of Nagasaka in view of Lavellee teach the rationale of claim 102 in rejected claim 77.

Claim 103 is rejected. McGrath in view of Nagasaka in view of Lavellee teach the rationale of claim 103 in rejected claim 78.

Claim 104 is rejected. McGrath in view of Nagasaka in view of Lavellee teach the rationale of claim 104 in rejected claim 79.

Claim 105 is rejected. McGrath in view of Nagasaka in view of Lavellee teach the
rationale of claim 105 in rejected claim 80.

Claim 106 is rejected. McGrath in view of Nagasaka in view of Lavellee teach the
rationale of claim 106 in rejected claim 81.

Claim 107 is rejected. McGrath in view of Nagasaka in view of Lavellee teach the
rationale of claim 107 in rejected claim 82.

Claim 108 is rejected. McGrath in view of Nagasaka in view of Lavellee teach the
rationale of claim 108 in rejected claim 83.

Claim 109 is rejected. McGrath in view of Nagasaka in view of Lavellee teach the
rationale of claim 109 in rejected claim 84.

Claim 110 is rejected. McGrath in view of Nagasaka in view of Lavellee teach the
rationale of claim 110 in rejected claim 85.

Claim 111 is rejected. McGrath in view of Nagasaka in view of Lavellee teach the
rationale of claim 111 in rejected claim 86.

Claim 112 is rejected. McGrath in view of Nagasaka in view of Lavellee teach the
rationale of claim 112 in rejected claim 43.

Claim 113 is rejected. McGrath in view of Nagasaka in view of Lavellee teach the
rationale of claim 113 in rejected claim 42.

Claim 114 is rejected. McGrath in view of Nagasaka in view of Lavellee teach the
rationale of claim 114 in rejected claim 41.

Claim 115 is rejected. Nagasaka teach re-execution processing being performed
in order to make the edit resultant clip which has been made disable by said

modification processing enable in response to the instruction from an edit operator (fig.

15).

Claim 116 is rejected. McGrath in view of Nagasaka in view of Lavellee teach the

rationale of claim 116 in rejected claim 47.

Claim 117 is rejected. McGrath teaches a said production process, a new edit

resultant clip is produced instead of said searched disable edit resultant clip, from said

newly produced video data, said link information, said editing point data, and said image

processing data relating to said searched edit resultant clip registered in said clip

database (col. 7, lines 15 - 25).

Claim 118 is rejected. McGrath in view of Nagasaka in view of Lavellee teach the

rationale of claim 118 in rejected claim 49.

Claim 119 is rejected. Lavellee teach a search process and said production

process repeated until all clips managed with the hierarchical structure become

enabled (fig. 1).

Claim 120 is rejected. . McGrath in view of Nagasaka in view of Lavellee teach

the rationale of claim 120 in rejected claim 47.

Claim 121 is rejected. . McGrath in view of Nagasaka in view of Lavellee teach

the rationale of claim 121 in rejected claim 47.

Claim 133 is rejected. . McGrath in view of Nagasaka in view of Lavellee teach

the rationale of claim 133 in rejected claim 1. Any information stored or access in a

computer must be registered information. All software systems require the use of
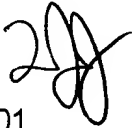
registers.

12.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Examiner Thomas Joseph whose telephone number is

703-305-2277. The examiner can normally be reached on 7:30 am to 4 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Cabeca can be reached on 703-308-3118. The fax phone numbers for

the organization where this application or proceeding is assigned are 703-308-6606 for

both regular communications and for After Final communications.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is 703-305-

3900.

TJJ
July 11, 2001

RAYMOND J. BAYERL
PRIMARY EXAMINER
ART UNIT 2173